

Idaho School for the Deaf and the Blind

Policies and Procedures

Section: 1200

Revised January 2006

Subsection: Eligibility for ISDB Campus Services; Admission and Retention

Reference:

IDEA
Idaho Special Education Manual
Idaho Code § 39-4801, 38-4802, 33-2001, 33-2002, 33-301, 33-3401, 33-3407
Section 504 of the Rehabilitation Act of 1973
34 C.F.R. 104.4, 104.33, 104.34, 104.35, 104.36, and 104.37

Purpose:

To establish guidelines for admission/enrollment and retention of students at the Idaho School for the Deaf and the Blind (ISDB) Campus academic and, if appropriate, Residential programs.

Policy:

The ISDB is established under Section 33-3401, Idaho Code. It is a State Agency and operates in conjunction with, although not a direct part of, the public school system of the State of Idaho. The agency's objective is to provide supplemental services to any Local Education Agency (LEA, or "school district") or the Department of Health & Welfare (birth to 3 years) for the education of children with hearing or visual impairment, age birth to 21 years.

Under Idaho Code § 33-3407 and/or State Board Of Education (SBOE) Governing Policies & Procedures, Section IV.D.6, any student from ages three (3) through twenty-one (21) with a hearing or vision sensory impairment, who is not able to be provided an appropriate education in the public school setting, can be considered for referral to the ISDB Campus program(s).

1. Reasons for referral may include, but are not limited to, a need for:
 - a) services specific to Deaf/Hard-of-Hearing or Blind/Visually Impaired students, which are not readily available in the local school district;
 - b) more intensive language development;
 - c) assistive technology devices or other assistive/adaptive technology;
 - d) greater array of auditory or visual support services;
 - e) social skill development;
 - f) organizational skill development; and/or
 - g) transition planning to post-school outcomes.

If a student is referred to ISDB by his or her local school district or IEP (Individual Education Plan) team, the referring entity will contact ISDB and provide the student's admission information and documentation for ISDB review and screening. The ISDB Admissions team will determine whether the student is eligible for admission or whether admission must be denied. No pupil shall be denied enrollment without the Superintendent first providing to the parent or guardian or the adult student (over 18 years of age and an emancipated individual) written notice as well as an opportunity to contest denial.

If the Admissions team determines that the student is eligible for admission to ISDB, the referring entity will call an IEP meeting. An ISDB representative will then join the student's IEP team and participate in an IEP meeting hosted by the referring entity to determine whether ISDB would be the least restrictive environment in which the student could receive a free and

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appropriate education and the services to be provided to the student, as developed in the student's IEP. A student determined eligible for ISDB campus services by the ISDB Admissions team may be admitted to the ISDB Campus pursuant to the IEP team placement decision. The IEP team will establish an initial date of placement at ISDB.

After a student has been admitted to ISDB, ISDB will conduct annual IEP Team meetings to evaluate the student's placement, progress, and services being provided. Such meetings/evaluations will be conducted in accordance with state and federal law, including the IDEA and Section 504 of the Rehabilitation Act of 1973.

The full spectrum of educational, social/emotional and communicative needs of the student must be considered in these placement decisions. Before accepting any students for initial placement in Campus programs, ISDB will ensure that an IEP meeting has been held, and the any placement decision has been made in accordance with the requirements of IDEA or Section 504.

In the case of any contemplated significant change in placement for any ISDB student after initial placement at ISDB, ISDB staff will include the local school district staff and call an IEP meeting to determine whether a significant change of placement is appropriate.

ISDB will provide parents, guardians, or adult students with a written notice of procedural safeguards regarding any evaluation and placement decisions pertaining to ISDB students.

Procedure:

1. Students referred to ISDB by local school district or IEP Team
2. Admission information and documentation received and reviewed

Documentation required for admission to the ISDB campus program(s):

- a) Application, including a Letter of referral from LEA
- b) A current physical exam by doctor
- c) Immunization records
- d) Birth certificate
- e) State of Idaho legal custody documentation - validated within the previous one year (only required when one or more parents/guardians are not the natural parents)
- f) Previous school academic records, including current IEP or 504 Plan, eligibility reports, assessment reports, progress reports
- g) Medical, social history and student school health records
- h) Appropriate psychological, academic and grade level performance evaluations

3. Determination of eligibility of admission to ISDB campus programs.

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Day student placement is considered within the local commuting-distance area, or whenever a family voluntarily indicates their willingness or desire to relocate to facilitate such an arrangement. This agency is not authorized, nor does it desire, to make such agreement a condition of acceptance for placement.

Residential/Cottage Life program placement is most often considered for students where travel distance (either by state or local school district rules) makes daily commuting impractical or considered in-advisable due to other physical or mentally disabling conditions. When considering the appropriateness of a Cottage Life program placement for potential new and/or current students, the safety and well-being of all students and staff is of the utmost importance.

Students living within the local commuting area may be considered for Residential/Cottage Life placement if, in the opinion of the IEP/504 Team, there are significant reasons why such placement would benefit their educational, social or emotional development and lead to a higher overall level of student success.

The determination of whether to proceed or deny the admission application is made by the admissions team and/or Superintendent. The Superintendent will notify the LEA and parent, guardian, or adult student (over 18 years of age and an emancipated individual) as to whether the student's admission is approved or denied within ten days.

Basis for Denial of Admission:

Adequate Facilities and Resources: ISDB will not enroll a student if existing facilities/resources cannot provide for the proper care, education, training, or transportation of the student, unless an interagency agreement can be executed with the local school district.

Safety Risk Factors: ISDB will not enroll or retain a student who is an adjudicated sex offender as provided for under applicable state laws. ISDB will not enroll or retain students who are known to have sexually victimized currently or previously enrolled ISDB students. Children/young adults who pose a safety risk to self or others cannot be enrolled or retained at ISDB unless an individualized safety plan can be implemented within existing agency facilities and resources.

1. A safety plan using existing agency resources may not be effective if:
 - a) the student is an adjudicated Level I or Level II sexual offender or the student has been adjudicated for a violent offense against self or others;
 - b) the student has otherwise been deemed a sexually aggressive youth;
 - c) the student's needs should be addressed in a hospital setting or residential treatment facility;
 - d) the student's primary ongoing needs are related to severe emotional, behavioral, or mental disorders;
 - e) the student has a documented history of severe behaviors in a prior school, educational or institutional setting; and/or
 - f) the student requires ongoing, one-to-one, adult supervision to protect himself/herself and/or others from harm.

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After a referral on such a student has been received, but before any enrollment action takes place, students demonstrating any of the above factors will require a determination on the part of the admissions team and/or Superintendent whether to proceed or deny the admission application.

If the application is not denied outright, then ISDB must propose a safety plan and send the plan with all other admissions materials to a qualified independent evaluator to determine the following:

- a) Whether, in the professional opinion of the independent evaluator, the student presents a safety risk to self or others; and, if so;
- b) Whether the proposed safety plan is sufficient to mitigate the identified risk, and, if not;
- c) Whether there are modifications to the proposed safety plan that would mitigate the identified risk.

Upon receipt of the written report of the independent evaluator, the Admissions team will determine whether to proceed to a Diagnostic Placement or deny the application.

The Superintendent is authorized to override the decision of the Admissions team.

he Superintendent will notify the LEA and parent, guardian, or adult student (over 18 years of age and an emancipated individual) as to whether the student's admission is approved or denied within 10 days of receiving the report from the independent evaluator.

If admission is denied, the Superintendent must provide written notice to the LEA and the parent or guardian or adult student (over 18 years of age and an emancipated individual). This notice shall state the grounds for the denial of enrollment. Parent, guardian, or adult student, or LEA may request a due process hearing as per IDEA standards. The student, parent or guardian shall also be notified of their rights to be represented by counsel (at their own expense), to produce witnesses and submit evidence on their own behalf, and to cross examine any adult witness who may appear against the student. If a hearing is requested, the time and place of the meeting will be provided to parent, guardian, or adult student and LEA by written notice when that information is available.

- 4. If student is eligible for admission, the referring entity will call an IEP meeting to:
 - a) Determine whether ISDB would be the least restrictive environment in which the student could receive a free and appropriate education.
 - b) Determine if additional evaluation data is necessary to ensure the provision of specially designed instruction, related services, or supplementary aids of services at ISDB.
 - c) Amend the student's current IEP to reflect changes to special education and related services during placement at ISDB.

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- d) Establish the initiation date of placement at ISDB.

A student is not deemed a student at ISDB until after the completion of Step 4.d.

Parents/guardian, or adult student will be provided notice of the proposed IEP and procedural safeguards.

5. ISDB will ensure that a free appropriate placement is provided to its students.

ISDB will promptly implement the IEPs of new students.

IEPs will be reviewed annually by the IEP team, to include parent, guardian, adult student (over 18 years of age and an emancipated individual), and the LEA in accordance with IDEA standards.

Students will be reevaluated at least every three years in accordance with IDEA standards.

Parents/guardians/adult students and the LEA will be provided notices of placement and evaluation decisions and IEPs. Parents/guardians/adult students will be provided notice of procedural safeguards.

6. In the event a change of placement (suspension/expulsion, shortened school day, exiting ISDB, home/hospital services) is considered for a currently enrolled ISDB student, ISDB will call a meeting of the IEP Team to evaluate and determine the appropriate placement, as per current IDEA standards.

In making a determination about whether a change in placement is appropriate, the IEP Team will consider all necessary current evaluation information. If additional evaluation information is needed for a currently enrolled ISDB student, ISDB will ensure that necessary evaluations are completed.

If a change in placement is determined appropriate by the IEP Team, the parent/guardian/adult student will be provided notice of the change in placement and procedural safeguards.

If the student's placement is changed, but the student remains a student at ISDB, ISDB will ensure that the newly developed IEP is implemented, and that parents/guardians/adult students are provided notice of the new IEP and procedural safeguards. The LEA will be provided notice of the new IEP.

An IEP/504 Meeting is required if Residential/Cottage Life placement is being considered for newly referred students and for currently enrolled day students.

If the change in placement results in the student being exited from ISDB, ISDB will ensure that the parent/guardian/adult student and LEA are provided notice of the decision and procedural safeguards.

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7. The Superintendent will ensure that appropriate criteria and procedures are developed o educate and train all staff members regarding their responsibilities related to the admissions process. These procedures will also be shared with local school district officials involved in these decisions.

Revised/Approved – January 2006
Harvey W. Lyter III, Interim Superintendent